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SERIES I No. 20

# OFFICIAL GOVERNMENT OF GOA GAZETTE



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## EXTRAORDINARY

### GOVERNMENT OF GOA

Department of Finance

Office of the Commissioner of Commercial Taxes

#### Order

CCT/15-1/2015-16/2147

- Read: (1) The Goa Value Added Tax Act Deferment-Cum-Net Present Value Compulsory Payment Scheme, 2005, as amended till date.
- (2) Government Notification No. 4/5/2005-Fin(R&C)(75) dated 15-3-2010, published in the Official Gazette, Series I No. 50, (Extraordinary) dated 15-3-2010.
- (3) Government Notification No. 4/5/2005-Fin(R&C)(13) dated 5-12-2012, published in the Official Gazette, Series II No. 36, (Extraordinary) dated 06-12-2012.
- (4) Government Notification No. 4/5/2005-Fin(R&C)/1083 dated 24-6-2014, published in the Official Gazette, Series II No. 13, (Extraordinary) dated 26-06-2014.

In exercise of the powers conferred by clauses 4 and 5 of the Goa Value Added Tax Deferment-Cum-Net Present Value Compulsory Payment (Second Amendment) Scheme, 2010 (hereinafter referred to as the "said scheme")

read with sub-section (5) of section 13 of the Goa Value Added Tax Act, 2005 and all the other powers enabling it in this behalf, the Commissioner of Commercial Taxes, hereby delegates to the below mentioned Assistant Commissioners of Commercial Taxes all the powers conferred upon the Commissioner under the above referred clauses of the said scheme subject to the conditions mentioned in this order. Their jurisdiction for disposal of applications received under the scheme shall be as under:—

Designated Authority	Jurisdiction for disposal of application relating to dealers having registration with the concerned ward office.
1	2
Assistant Commissioner of Commercial Taxes, Panaji Ward	Panaji Ward
Assistant Commissioner of Commercial Taxes, Margao & Curchorem Ward	Margao & Curchorem Ward
Assistant Commissioner of Commercial Taxes, Ponda Ward	Ponda Ward
Assistant Commissioner of Commercial Taxes, Mapusa Ward	Mapusa Ward

1	2
Assistant Commi- ssioner of Commercial Taxes, Vasco-da-Gama Ward	Vasco-da-Gama Ward
Assistant Commi- ssioner of Commercial Taxes, Bicholim Ward	Bicholim Ward

The concerned Assistant Commissioner shall form a team comprising of Commercial Tax Officers and Assistant Commercial Tax Officers for disposing the applications under the said scheme.

While issuing the Acknowledgment-cum-order in Form V/VI and certifying therein the fresh entitlement or rejecting their declarations, they shall follow the below mentioned guidelines:—

1. The declarations in Form-IV submitted by the dealers for benefit of the said scheme shall be compared with the records maintained by the Ward Offices and the applications shall be thoroughly verified, the dates mentioned therein shall be properly ascertained before allowing the exemptions and issuing the necessary orders.

2. They shall ensure that the registration certificate of the dealers is live and valid. Wherever, the entitlement under the previous scheme is in dispute or in appeal as regards its entitlement under the original scheme, no acknowledgment shall be issued and such matters shall be referred to the Commissioner for decision.

3. The Acknowledgment-cum-orders in Form V/VI are required to be issued to the applicants immediately whose declarations are in order and who have fulfilled their requirements as provided in the said scheme and the copies of such orders shall be endorsed to this office which shall be compiled by ACTO, Smt. Vandana Bale.

4. It shall be ensured that the declaration furnished by the dealer is factually correct and that he is actually entitled for the exemption. In case of any deficiency, a "deficiency memo" be issued to the applicant calling for a compliance within 30 days and in the event of

non-compliance or if the details furnished are proved to be incorrect, then an "order" be made disallowing the benefits under the scheme, after giving the applicant an opportunity of hearing.

5. While scrutinizing the applications, the provisions of entries 68 and 85 of the Second Schedule appended to the Goa Sales Tax Act, 1964 and Notifications issued under section 8(5) of the Central Sales Tax Act, 1956 be strictly adhered to.

6. The entire process of scrutiny and the issue of the Acknowledgment-cum-orders or its rejection should be completed latest by 31-10-2015. However, in all those cases where applications have already been received and where their exemptions have already expired, it is expedient that such cases should be taken up on priority and finalized latest by 15-09-2015. Nevertheless all the other balance cases should invariably be finalized not later than 31-10-2015, as directed above.

7. While indicating the date of actual period of entitlement on the Acknowledgement-cum-orders i.e. either one/two/three years as per the scheme it should be confirmed that the additional period of benefit is granted for such period as per the terms contained in the relevant order/notification. All cases disposed off shall be hosted on the Website and also invariably be communicated to the applicant well in advance either electronically or otherwise.

*Dipak M. Bandekar*, Commissioner of Commercial Taxes.

Panaji, 13th August, 2015.



Department of Public Health

### Notification

27/6/2015-I/PHD/861

Whereas the Hon'ble Supreme Court of India in the case of Laxmi V/s Union of India & Ors, in the Writ Petition (CRL) No. 129 of 2006 vide its order dated 10th April, 2005, interalia, directed the State Government to issue

necessary directions with regard to victims of acid attacks.

And whereas, Government of Goa therefore hereby issues the following guidelines and directions to be followed by all hospitals, police and all other authorities for necessary action and strict compliance:—

1. (a) All hospitals (including private hospital) are required to provide free medical treatment to the victims of acid attack. All hospitals including private hospital shall not refuse treatment to the victims of acid attack and that full treatment should be provided to such victims including medicines, food, bedding and reconstructive surgeries.

(b) No hospital/clinic shall refuse treatment citing lack of specialized facilities.

(c) First-aid must be administered to the victim and after stabilization, the victim/patient could be shifted to a specialized facility for further treatment wherever required.

2. The hospital where the victim of an acid attack is first treated should give a certificate that the individual is a victim of an acid attack. This certificate may be utilized by the said victim for availing treatment and reconstructive surgeries or any other scheme that the victim may be entitled.

3. In the event of any specific complaint against any private hospital or government hospital, the acid attack victims will be at liberty to take further action.

4. The sale of acid across the counter is banned.

5. A minimum compensation of Rs. 3,00,000/- shall be made available to each victim of acid attack by the State Government.

6. Action shall be taken against any hospital/clinic for refusal to treat victims of acid attacks and other crimes in contravention of the provisions of section 357C of the Code of Criminal Procedure, 1973.

By order and in the name of the Governor of Goa.

Anthony J. D'Souza, Joint Secretary (Health).  
Porvorim, 5th August, 2015.

## Department of Urban Development

Municipal Administration

### Notification

20/39/2015-DMA/1477

The following draft rules which are proposed to be made so as to further amend the Goa Municipalities (Election) Rules, 1969, are hereby pre-published as required by sub-section (3) of section 306 of the Goa Municipalities Act, 1968 (Act 7 of 1969), for information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Director of Urban Development/Municipal Administration, Collectorate Building, Panaji-Goa, before the expiry of the said period of fifteen days from the date of publication of this Notification in the Official Gazette, so that the same may be taken in consideration at the time of finalization of the Draft Rules.

### DRAFT RULES

In exercise of the powers conferred by section 18 read with sub-section (2) of section 306 of the Goa Municipalities Act, 1968 (Act 7 of 1969), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to further amend the Goa Municipalities (Election) Rules, 1969, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Municipalities (Election) (Amendment) Rules, 2015.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Amendment of rule 12.*— In rule 12 of the Goa Municipalities (Election) Rules, 1969 (hereinafter referred to as the "principal Rules"), after sub-rule (2), the following sub-rule shall be inserted, namely:—

“(2A) the candidate or his proposer, as the case may be, shall, at the time of delivering the nomination paper under sub-rule (2), to the Returning Officer, also deliver to him an affidavit sworn by the candidate before a Magistrate of First Class or a Notary in Form XXIII”.

2. *Insertion of new Form XXIII.*— After Form XXII of the principal Rules, the following form shall be inserted, namely:—

## FORM XXIII

[See sub-rule (2A) of rule 12]

Please affix  
your recent  
passport size  
photograph  
here

**Affidavit to be filed by the candidate along with nomination paper before the returning officer for election to ward No. .... of Municipal Council**

I, ....., son/daughter/wife of ....., aged ..... years, resident of ..... (mention full postal address), a candidate at the above election, do hereby solemnly affirm and state on oath as under:—

(1) My name is enrolled at serial number ..... of voters list of Ward No. .... of ..... Municipal Council.

(2) My contact telephone number(s) is /are ..... and my e-mail id (if any) is .....

(3) Details of Permanent Account Number (PAN) and status of filing of Income Tax return:

Sr. No.	Name	PAN	The financial year for which the last Income-Tax return has been filed	Total income shown in Income-Tax return (in Rupees)
1.	Self			
2.	Spouse			
3.	Dependent-1			
4.	Dependent-2			
5.	Dependent-3			

(4) I am/am not accused of any offence(s) punishable with imprisonment for two years or more in a pending case(s) in which a charge(s) has/have been framed by the Court(s) of competent jurisdiction.

If the deponent is accused of any such offence(s), he shall furnish the following information:—

(i) the following case(s) is/are pending against me in which charges have been framed by the court for an offence punishable with imprisonment for two years or more:—

(a) Case/First Information Report No./Nos. together with complete details of concerned Police Station/District/State.

(b) Section(s) of the concerned Act(s) and short description of the Offence(s) for which charged

(c) Name of the Court, Case No. and date of order taking cognizance:

(d) Court(s) which framed the charge(s)

(e) Date(s) on which the charge(s) was/were framed

(f) Whether all or any of the proceeding(s) have been stayed by any Court(s) of competent jurisdiction

(ii) The following case(s) is/are pending against me in which cognizance has been taken by the Court.

(The details of all pending cases in which cognizance have been taken by the Court, irrespective of the quantum of punishment or framing of charges should be mentioned).

(a) Name of the Court, Case No. and date of order taking cognizance:

(b) The details of cases where the court has taken cognizance, section(s) of the Act(s) and description

(c) Details of Appeal(s)/Application(s) for revision (if any) filed against the above order(s)

(5) I have been/have not been convicted of an offence(s) and sentenced to imprisonment for one year or more.

If the deponent is convicted and punished as aforesaid, he shall furnish the following information:

In the following cases, I have been convicted and sentenced to imprisonment by a Court of law:

(a) The details of cases, section(s) of the concerned Act(s) and description of the offence(s) for which convicted

(b) Name of the Court(s), Case No. and date(s) of order(s):

(c) Punishment imposed

(d) Whether any appeal was /has been filed against the conviction order. If so, details and the present status of the appeal.

(6) That I give herein below the details of the assets (movable and immovable etc.) of myself, my spouse and all dependents and all the liabilities:—

Sl. No.	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
1.	Cash in hand					
2.	Cash in Bank including Fixed					

Deposits, and  
the Deposits in  
Financial Institu-  
tions including  
in Post Offices.

3. Motor Vehicles  
(4 Wheelers and  
2 Wheelers)

4. Jewellery

5. House/Building/  
/Flat/Land etc.

6. Loans or dues to  
Bank, Government  
and other Finan-  
cial Institutions.

(7) Details of profession or occupation:

(a) Self .....

(b) Spouse .....

(8) My educational qualification is as under:—

.....

(Give details of highest School/University education mentioning the full form of the certificate/diploma /degree course, name of the School/College/University and the year in which the course was completed.)

#### VERIFICATION

I, the deponent, above named, do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom. I further declare that:—

(a) There is no case of conviction or case pending against me, other than those mentioned in items (4) and (5).

(b) I, my spouse, or my dependents do not have any asset or liability, other than those mentioned in item (6) above.

Verified at ..... this the ..... day of .....

DEPONENT.

By order and in the name of the Governor of Goa.

*Elvis P. Gomes*, Director and ex officio Addl. Secretary (Urban Development).

Panaji, 13th August, 2015.

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